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In the United States Patent and Trademark Office

Serial Number: 09/641,410
Preliminary class: 426
Appn. Filed: 08/18/2000
Applicant: Alice O. Kiely
Appn. Title: Edible supports for comestibles with optional, edible mess guards and drip guards
Examiner/GAU: /1761

2000 Oct. 18, Wed
Yorktown Heights, NY

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COMMISSIONER OF PATENTS

Assistant Commissioner for Patents
Washington, District of Columbia 20231

Sir:


This correspondence is in response to the Notice of Omitted Items in the Nonprovisional Application of 10/5/2000, for the above application, for figures **41A-41D, 42 and 43** appearing to have been omitted from the application.

Applicant has deposited figures **41A-41D, 42 and 43**, in the above application, filed 08/18/2000. However these figures were misnumbered and were submitted as figures **43A-43D, 44A and 44B**. Applicant has enclosed a petition for Approval of Proposed Drawing Amendment, to correct these deposited figures, and a copy of the changes indicated in red.

A petition fee of \$130.00 (37 CFR 1.17(i)) is enclosed with the above noted evidence of the deposited specified drawings for the above application. A copy of the Notice of Omitted

Items in a Nonprovisional Application, regarding this application, is also enclosed, as requested.

Very Respectfully,


Alice Mary O'Donnell Kiely

71 Stonewall Court
Yorktown Heights, New York
10598-1819

Encl: A copy of the Notice of Omitted Items in a Nonprovisional Application
Request for Approval of Proposed Drawing Amendment
Drawing sheet 19/19 as filed
Drawing sheet 19/19 with proposed corrections
A check for the petition fee of \$130.00 (37 CFR 1.17(i))
Return receipt postcard



In the United States Patent and Trademark Office

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Serial Number: 09/641,410
Preliminary class: 426
Appn. Filed: 08/18/2000
Applicant: Alice O. Kiely
Appn. Title: Edible supports for comestibles with optional, edible mess guards and drip guards
Examiner/GAU: /1761

Mailed 2000 Oct. 18, Wed
Yorktown Heights, NY

Request for Approval of Proposed Drawing Amendment

Assistant Commissioner for Patents
Washington, District of Columbia 20231

Sir:

Applicant respectfully requests permission to amend the drawings of the above application after allowance. The proposed changes are indicated in red on the photocopy of drawing sheet 19/19, of figures **41A-41D, 42 and 43**, thereof attached hereto.

Very Respectfully,

Alice Mary O'Donnell Kiely

Applicant

Encl:

Drawing sheet 19/19 as filed 08/18/2000

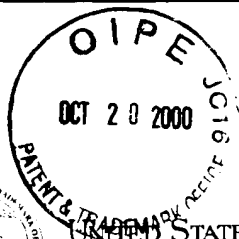
Drawing sheet 19/19 with proposed corrections

71 Stonewall Court

Yorktown Heights, New York

10598-1819

03001#



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/641,410	08/18/2000	Alice Mary O'Donnell-Kiely	

Alice O Kiely
71 Stonewall Court
Yorktown Heights, NY 10598-1819

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OFFICE OF PETITIONS

FORMALITIES LETTER



OC000000005455057

Date Mailed: 10/05/2000

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **41A-41D, 42 and 43** described in the specification.

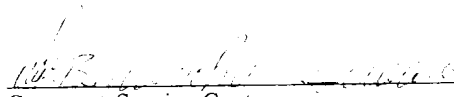
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

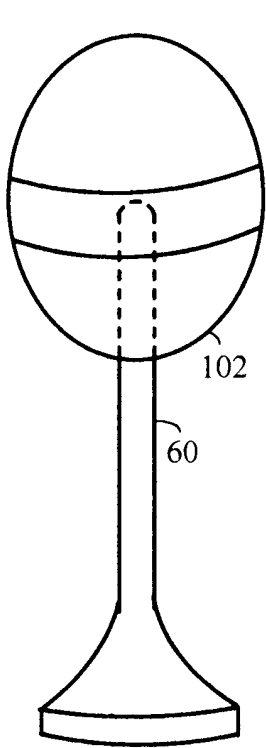


Fig. 43A

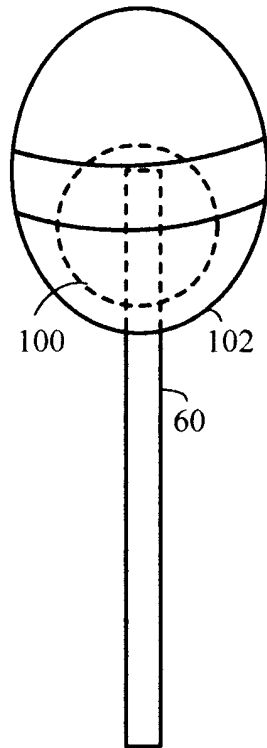


Fig. 43B

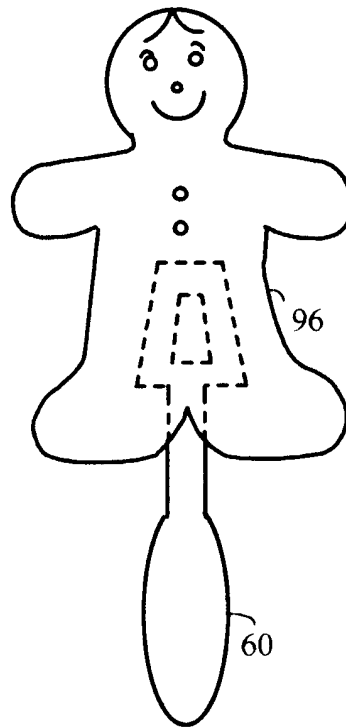


Fig. 43C

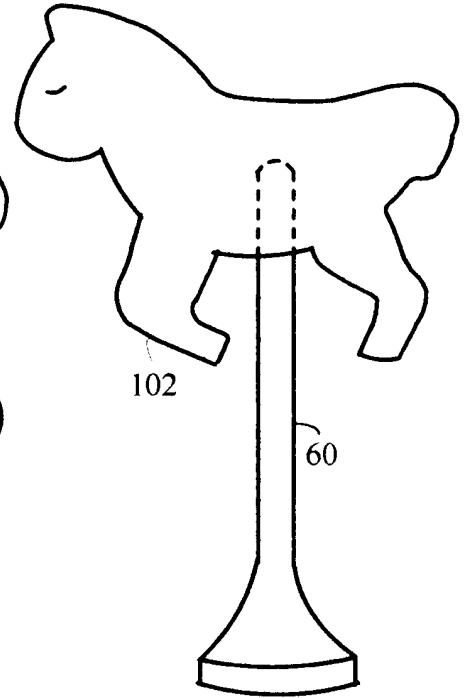


Fig. 43D

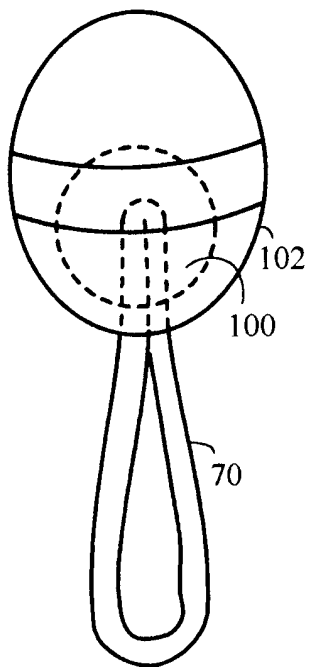


Fig. 44A

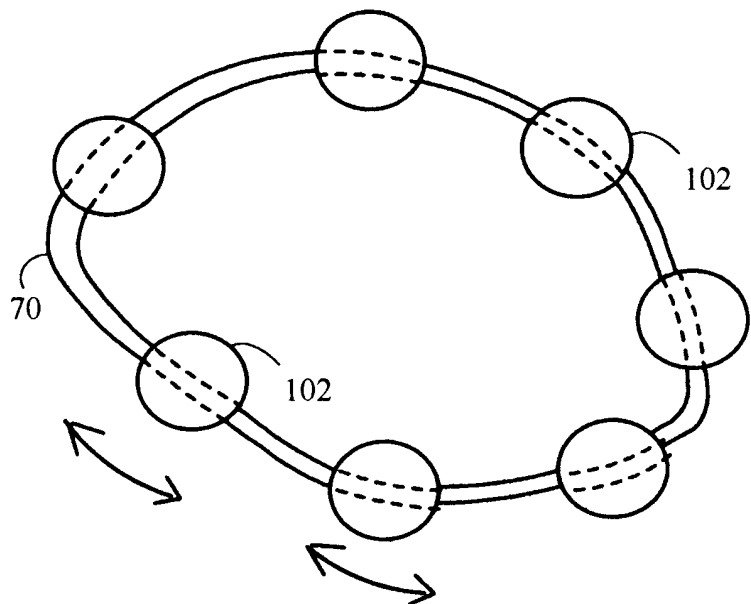


Fig. 44B

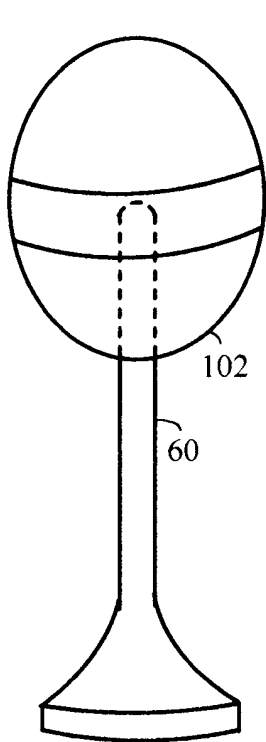


Fig. 41A

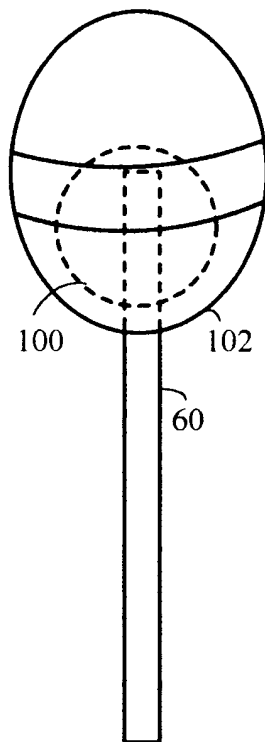


Fig. 41B

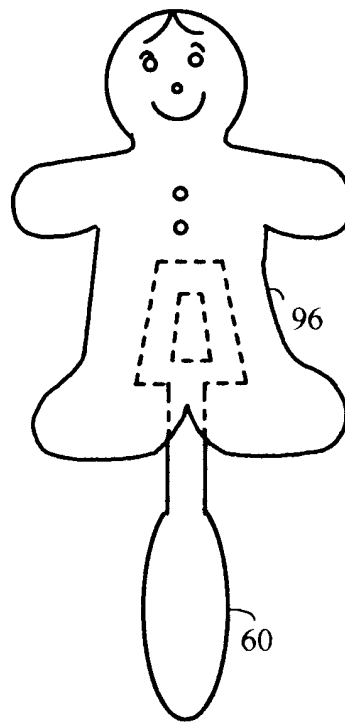


Fig. 41C

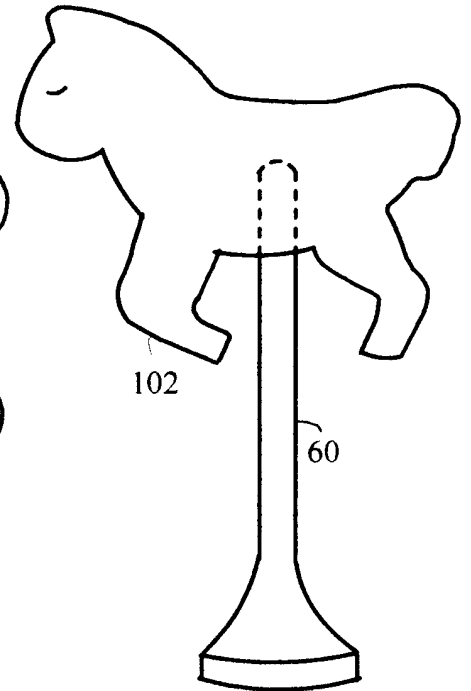


Fig. 41D

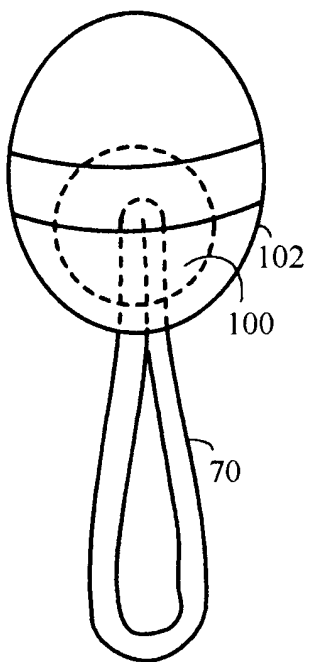


Fig. 42

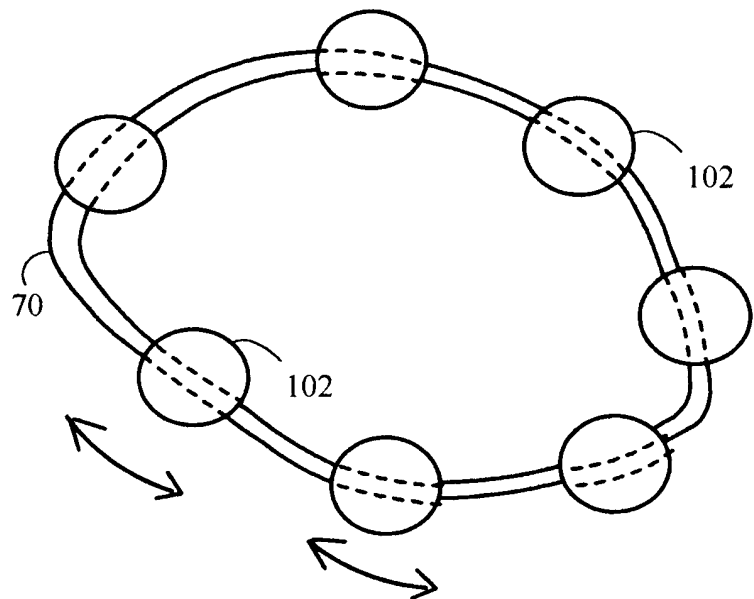


Fig. 43